

**UNITED STATES DISTRICT COURT**  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED  
02/05/2014  
Clerk, U.S. District Court  
Western District of Texas

By: RRV  
Deputy

UNITED STATES OF AMERICA

vs.

(1) JUAN LAINEZ-LUCAS

Defendant.

§  
§ CASE NUMBER: EP:14-M -00308(1) - MAT  
§ USM Number:  
§  
§

**JUDGMENT IN A CRIMINAL CASE**  
**(For A Petty Offense) - Short Form**

The defendant, Juan Lainez-Lucas, was represented by counsel, Veronica Teresa Lerma.

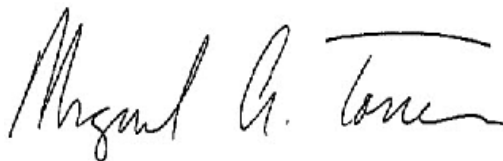
The defendant pled guilty to the complaint on February 05, 2014. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8:1325(a)(1)	IMPROPER ENTRY BY AN ALIEN	January 19, 2014

As pronounced on February 05, 2014, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of Time Served. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

Signed this the 5th day of February, 2014.



MIGUEL A. TORRES  
U.S. MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

FILED  
01/28/2014  
Clerk, U.S. District Court  
Western District of Texas

By: RRV  
Deputy

**UNITED STATES OF AMERICA**

**vs.**

**(1) JUAN LAINEZ-LUCAS**

§  
§  
§  
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**Case Number:**

**EP:14-M -00308(1) - MAT**

**Spanish Language Interpreter Required**

**Time: -0-**

**\*PROCEEDINGS SHEET/CRIMINAL NOTICE**

**8:1325(a)(1)**

TAKE NOTICE that a proceeding in this case has been set for the place, date and time set forth below.

PLACE	ROOM NO.
<b>Albert Armendariz, Sr. United States Courthouse 525 Magoffin Avenue El Paso, Texas 79901</b>	<b>Magistrate Courtroom, 712</b>
	DATE AND TIME
	<b>February 05, 2014 at 02:30 PM</b>

TYPE OF PROCEEDING

**MISDEMEANOR ARRAIGNMENT**

**MIGUEL A. TORRES**

UNITED STATES MAGISTRATE JUDGE

**01/28/2014**

\*Initial Appearance Date

**Rita R. Velez (915) 834-5014**

(BY) DEPUTY CLERK

**Juan Lainez-Lucas**  
**[CJA] Veronica Teresa Lerma**

**1417 Montana Avenue, El Paso TX 79902; (915) 533-4779**

**U.S. PROBATION**

**U.S. PRETRIAL**

**U.S. ATTORNEY**

**U.S. MARSHAL**

**AGENCY: El Paso Sector Border Patrol - Minjarez, Robert**

**PENALTY: 0 year(s) to 6 month(s) / \$5,000.00 / 0 SR / \$10.00 SA**

**BOND: \$5000.00 C/CS**

\*Defendant afforded initial appearance pursuant to Fed.R.Crim P.5, informed of charges, penalties, right to remain silent, right to preliminary examination, right to be represented by counsel, and to appointment of counsel if Defendant is financially unable to obtain counsel, and the circumstances under which Defendant may secure pretrial release. Initial Appearance is electronically recorded.

CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT-APPOINTED COUNSEL (Rev. 12/03)

<b>1. CIR./DIST./DIV. CODE</b> TXW		<b>2. PERSON REPRESENTED</b> (1) JUAN LAINEZ-LUCAS			<b>VOUCHER NUMBER</b>	
<b>3. MAG. DKT./DEF. NUMBER</b> EP:14-M -00308(1)		<b>4. DIST.DKT./DEF.NUMBER</b>		<b>5. APPEALS DKT./DEF.NUMBER</b>		<b>6. OTHER DKT. NUMBER</b>
<b>7. IN CASE/MATTER OF (Case Name)</b> U.S. vs. (1) JUAN LAINEZ-LUCAS		<b>8. PAYMENT CATEGORY</b> Petty Offense		<b>9. TYPE PERSON REPRESENTED</b> Adult Defendant		<b>10. REPRESENTATION TYPE</b> Criminal Case
<b>11. OFFENSE(S) CHARGED</b> (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i> 8:1325(a)(1) - IMPROPER ENTRY BY AN ALIEN 8:1325(a)(1)						
<b>12. ATTORNEY'S NAME</b> (First Name, M.I., Last Name, including any suffix), <b>AND MAILING ADDRESS</b> Lerma, Veronica Teresa 1417 Montana Avenue El Paso, TX 79902  Telephone Number: (915) 533-4779				<b>13. COURT ORDER</b> <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs for Federal Defender <input type="checkbox"/> R Subs for Retained Attorney <input type="checkbox"/> P Subs for Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Date: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other (See Instructions) _____  <div style="text-align: right;"> <b>Signature of Presiding Judicial Officer or By Order of the Court</b>            01/28/2014  <b>Date of Order</b> <span style="float: right;"><b>Nunc Pro Tunc Date</b></span>  <b>Repayment or partial repayment ordered from the person represented for this service at time of appointment</b> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div>		
<b>CLAIM FOR SERVICES AND EXPENSES</b>						
<b>CATEGORIES</b> (Attach itemization of services with dates)		<b>HOURS CLAIMED</b>	<b>TOTAL AMOUNT CLAIMED</b>	<b>MATH/TECH ADJUSTED HOURS</b>	<b>MATH/TECH ADJUSTED AMOUNT</b>	<b>ADDITIONAL REVIEW</b>
15. a. Arraignment and/or Plea						
b. Bail and Detention Hearings						
c. Motion Hearings						
d. Trial						
e. Sentencing Hearings						
f. Revocation Hearings						
g. Appeals Court						
h. Other (Specify on additional sheets)						
(RATE PER HOUR = \$ ) TOTALS:						
16. a. Interviews and Conferences						
b. Obtaining and reviewing records						
c. Legal research and brief writing						
d. Travel time						
e. Investigative and other work (Specify on additional sheets)						
(RATE PER HOUR = \$ ) TOTALS:						
17. Travel Expenses (lodging, parking, meals, mileage, etc.)						
18. Other Expenses (other than expert, transcripts, etc.)						
<b>GRAND TOTALS (CLAIMED AND ADJUSTED):</b>						
<b>19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE</b>				<b>20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION</b>		<b>21. CASE DISPOSITION</b>
FROM: _____ TO: _____						
<b>22. CLAIM STATUS</b> <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____						
<b>APPROVED FOR PAYMENT -- COURT USE ONLY</b>						
<b>23. IN COURT COMP.</b>		<b>24. OUT OF COURT COMP</b>		<b>25. TRAVEL EXPENSES</b>		<b>26. OTHER EXPENSES</b>
<b>28. SIGNATURE OF THE PRESIDING JUDGE</b>				<b>DATE</b>		<b>28a. JUDGE CODE</b>
<b>29. IN COURT COMP.</b>		<b>30. OUT OF COURT COMP</b>		<b>31. TRAVEL EXPENSES</b>		<b>32. OTHER EXPENSES</b>
<b>34. SIGNATURE OF THE CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE)</b> <i>Payment approved in excess of the statutory threshold amount.</i>				<b>DATE</b>		<b>34a. JUDGE CODE</b>

**UNITED STATES DISTRICT COURT**  
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED  
01/28/2014  
Clerk, U.S. District Court  
Western District of Texas

By: RRV  
Deputy

USA  
vs.  
(1) JUAN LAINEZ-LUCAS

§  
§ CRIMINAL COMPLAINT  
§ CASE NUMBER: EP:14-M -00308(1) - MAT  
§  
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **01/19/2014** in **Presidio** county, in the **WESTERN DISTRICT OF TEXAS** defendant(s) did, (track statutory language of offense) being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers

in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"The Defendant, Juan LAINEZ-Lucas, an alien to the United States and a citizen of Mexico, claims to have entered the United States from the Republic of Mexico by wading the Rio Grande River approximately 3 miles east the Presidio Port of Entry on January 19, 2014, at Presidio, Texas, in the WESTERN DISTRICT OF TEXAS. The place where the Defendant entered is not designated as a Port of Entry by immigration officers."*

Continued on the attached sheet and made a part of hereof:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

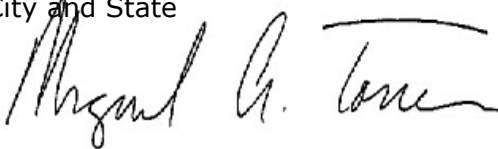


Signature of Complainant  
Minjarez, Robert  
Border Patrol Agent

01/28/2014  
File Date

at EL PASO, Texas  
City and State

MIGUEL A. TORRES  
U.S. MAGISTRATE JUDGE

  
Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

(1) JUAN LAINEZ-LUCAS

FACTS (CONTINUED)

The Defendant, Juan LAINEZ-Lucas, an alien to the United States and a citizen of Mexico, claims to have entered the United States from the Republic of Mexico by wading the Rio Grande River approximately 3 miles east the Presidio Port of Entry on January 19, 2014, at Presidio, Texas, in the WESTERN DISTRICT OF TEXAS. The place where the Defendant entered is not designated as a Port of Entry by immigration officers.

On January 26, 2014, at approximately 7:10 p.m., Border Patrol Agents Benjamin Perry and David Hutchins boarded a commercial Greyhound bus that approached the United States Border Patrol checkpoint located on I-10 mile marker 120.5 in Dona Ana County, New Mexico. Agent Perry approached an individual, later identified as the DEFENDANT Juan LAINEZ-Lucas and questioned him as to his citizenship. The DEFENDANT turned away and looked out the window as if Agent Perry was not there. Agent Perry asked the DEFENDANT if he was born in the United States which the DEFENDANT stated he was born in Mexico. Agent Perry then asked the DEFENDANT if he had any immigration documents that would allow him to enter, be in or remain in the United States legally. The DEFENDANT stated he did not have any immigration documents. At this point, the DEFENDANT was escorted into the checkpoint for further questioning. The DEFENDANT was enrolled into the E3/IDENT/IAFIS system utilizing his finger prints and photo. The system identified the DEFENDANT and revealed negative immigration history and negative criminal history. The DEFENDANT was read his rights as per form I-214 in the Spanish language, which he acknowledged that he understood by signing the form. The DEFENDANT admitted crossing illegally into the United States approximately 3 miles east the Presidio Port of Entry on January 19, 2014, at Presidio, Texas. Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

NONE

CRIMINAL HISTORY:

NONE